



Imale

1754

TRANSMITTAL LETTER

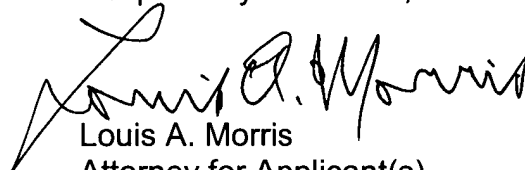
In re Application of: :
Stamires, Dennis, et al. : Docket: ACH 2853 US
: :
Serial No.: 10/072,630 : Examiner: Steven Bos
Filing Date: February 7, 2002 :
: Group Art Unit: 1754
Title: DOPED ANIONIC CLAYS :

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

☒ Transmitted herewith is a responsive document(s) for this application.
TRANSMITTAL LETTER IN DUPLICATE; RESPONSE TO RESTRICTION AND/OR
ELECTION REQUIREMENT; CERTIFICATE OF MAILING; and POST CARD.

The total fee believed due is **\$00.00**. Please charge this amount and any other fees which may be due (including filing fees under 37 CFR 1.16 and processing fees under 37 CFR 1.17) to Deposit Account No. 01-1350. If an extension of time is required but has not been requested above, Applicant hereby petitions for an extension of time sufficient for the attached document(s) to be timely. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

March 16, 2004
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Vickie Purcell
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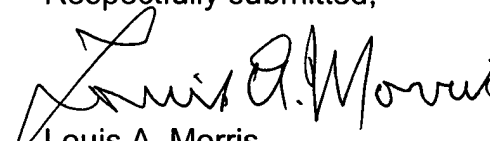
dopant within the anionic clay, which cannot be achieved by co-precipitation or impregnation. The doped anionic clay obtained by the process of claim 1 simply cannot be made by a different process and Inventions I and II are not distinct.

Inventions II (a doped anionic clay) and III (a catalyst containing the doped anionic clay) present a combination/sub-combination relationship. The combination (Invention III) absolutely requires the particulars of the sub-combination (Invention II) for patentability. Contrary to the Examiner's allegation, Inventions II and III are, thus, not distinct and not subject to restriction (MPEP 806.05(c)),

Logically, since Inventions I and II are not distinct, and Inventions II and III are not distinct, Inventions I and III could not be distinct. Inventions I and III are, of course, related, since the catalyst of Invention III must comprise an anionic clay made by the process of Invention I. Where inventions are related as disclosed, but are not distinct as claimed, restriction is never proper. (MPEP 806 C).

Applicants respectfully request that claims 1-20 be examined on the merits.

Respectfully submitted,


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